REMARKS

Applicants respectfully traverse and request reconsideration.

Claims 1-9 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,011,909 (Newlin) in view of U.S. Patent No. 6,088,728 (Bellemore). The Newlin reference has been cited as allegedly teaching a method for providing concurrent multimodal communication. However, Applicants respectfully note that Newlin does not appear to be directed to a multimodal communication system as one of ordinary skill in the art would understand those terms in view of Applicants' specification. For example, the multimodal communication defined in Applicants' specification allows for a user to input information into a user agent program for example in one mode, such as through a voice mode, and receive information in a different mode such as in a text mode. (See for example specification page 3, para. 4) For example, a user may access information such as weather updates or other information through one mode and receive information in a different mode.

In contrast, the Newlin reference is directed to alerting a user engaged in a first communication session which is a single mode session on a first network, to a request to establish a second single mode communication session on a second network. More specifically, Newlin is directed to the problem of utilizing different communication networks such as phone and cable networks to allow, for example, simultaneous connection to multiple networks wherein one connection may be an incoming call and another network may be providing a video conference over an ISDN line. Newlin describes in column 2 that they are attempting to address the problem of potential conflicts using different and independent networks. To solve the problem, Newlin describes providing conflict resolution capabilities or prioritization between potential conflicting or contending uses involving "separate and independent networks". As such the incoming telephone call is from a separate network and is a single mode (namely voice) and a video conference call

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coming in on another network is also in a single mode (namely video). Applicants' invention is directed to a completely different system.

Moreover, Applicants describe and claim a concurrent multimodal communication system. For example, concurrent multimodal input of information through different user agent programs can be desirable. For example, requesting information from the Internet both by speaking a word and also entering text information may be desirable to retrieve information in different modes from those used as input modes. Moreover, Applicants claim the use of differing user agent programs to facilitate concurrent multimodal communication sessions. The user agent programs as claimed by Applicants are configured for different concurrent modality communication during a session. The claims require that during a non-session condition on a per user basis, a concurrent multimodal session status is maintained for the different concurrent modality user agent programs and reestablishes a concurrent multimodal session in response to accessing concurrent multimodal session status information. Newlin does not appear to be directed to such a method.

As for claim 1, the office action cites column 4, lines 1-27 of Newlin as allegedly teaching the establishing and maintaining, on a per user basis, concurrent multimodal session status information of user programs configured for different concurrent multimodal communications and cites column 4, lines 1-27. However this cited portion does not appear to describe user agent programs nor user agent programs configured for different concurrent multimodality communication during a session. To the contrary, this section describes that a network communication session from one network determines the presence of another network communication session. An alert is given to a user interface so that the user knows that another single mode communication on a different network is available for the user. By allowing two different networks to communicate at roughly the same time, the Newlin reference enables a user to maintain two separate and independent single mode communication sessions such as a video call

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and a telephone call. The two calls may be simultaneously displayed on a split screen. However, there is no indication of any maintenance of session status information nor different user agent programs configured for different concurrent modality communication during a session. In fact, there does not appear to be a need in Newlin for maintaining multimodal session status information of any user program since Newlin does not describe any non-session conditions that would require the maintenance of such session status information. Moreover, as noted above, there is no different concurrent modality communication. For example, the user in Newlin cannot for example control the video teleconference so that text may be entered by the user and that it be translated to voice output on the other end of the call. As such, no multimodal communication appears to exist.

Moreover, Newlin has been cited for teaching everything of Applicants' claim except "maintaining inactive sessions". Newlin has been cited as reestablishing a concurrent multimodal session in response to accessing the concurrent modal session status information for the user programs that are configured in different concurrent modalities (column 5, lines 45-67). However, this cited portion merely describes that a user may decide to participate in one or both different network communication sessions. One session may be put on hold and may be done by transmitting an idle or other dummy bits. As a consequence, when another control signal is received the network session may be interchanged with the other communication session. As such, there is a teaching of providing dummy bits or idle an indication so that the system believes it is always in a given session. There is no need to maintain session status information during non-session conditions in Newlin. As such, there is no teaching of a reestablishing of concurrent multimodal sessions in response to accessing concurrent multimodal session status information. If the rejection is maintained, Applicants respectfully request a showing by column and line number of where the alleged user agent programs are configured for different concurrent multimodality communication are taught, and where the session status information is actually described, as it does not appear to be

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present in Newlin. In fact, Newlin appears to teach away from a system that would employ non-session status information by requiring the use of dummy bits to be sent which in effect fakes the system into believing that valid data is still being sent. In other words, Newlin requires that the session be maintained and not disrupted. Accordingly, the claims are in condition for allowance.

Because Newlin teaches away from Applicants' claimed invention and does not include the limitations as alleged in the office action, its combination with Bellemore is also improper. In any event, Applicants will also address the combination with Bellemore. The Bellemore reference also does not appear to be directed to any type of concurrent multimodal communication system but to the contrary appears to simply address switching client sessions in a server. Bellemore is directed to a method and system that attempts to allow more users to use a server than there are available connections to a server, and maintain the identity of the user. As such, sessions share ports of a server. The alleged motivation given in the office action is that it would have been obvious to modify Newlin with Bellemore's teachings "because it would have enabled more users to use and share system resources". However, neither Newlin nor Applicants' specification attempts to address the sharing of system resources.

Also, as noted above, there is no motivation to combine these disparate teachings since Newlin teaches to include dummy bits during the session. Bellemore has been cited as disclosing a system and method "capable of maintaining user interactive sessions for enabling the user to reconnect to a previous concurrent session without having to maintain a persistent connection to the network". However the cited portion of Bellemore appears to use the word "inactive sessions" for sessions that are actually active but for which commands being received by the server cannot be immediately accepted at a port since the port is sharing multiple sessions. (See column 6, lines 63-65). As such, the sender of the information still believes it is in a session and continues to send commands, however the server that is managing the session cannot handle all communications at

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the port and must temporarily allocate those to storage until they can be processed. Accordingly, there is no teaching or suggestion in Bellemore of, among other things maintaining, during non-session conditions on a per user basis, concurrent multimodal session status information of user agent programs configured for different concurrent modality communication. As such, the claim is in condition for allowance.

For argument sake, even if Bellemore's actual teachings were properly combinable with those of Newlin, the resulting system would still appear to be a single mode system that carried multimedia sessions from different networks wherein those sessions are not inactive but wherein the sender of the information continues to send either dummy data or commands whose commands are received on a new port. Then the new session information can be used to process the command according to the new session information as taught by Bellemore. Moreover, neither reference appears to be directed to concurrent multimodal communication as claimed and described in Applicants' specification.

As to claims 2 and 8, Applicants respectfully reassert the relevant arguments made above with respect to claim 1 and accordingly, these claims are also in condition for allowance. In addition, Bellemore has cited column 2, lines 34-38 as teaching maintaining concurrent multimodal session status information which includes storing location data indicating where the last fetched information was obtained for each of the plurality of user agent programs that have been configured for different concurrent modality communications during a concurrent multimodal communication session. As noted above, there is no teaching or suggestion of any maintenance of concurrent multimodal session status information for user agent programs described in Bellemore. Accordingly, the claims are in condition for allowance.

As to claim 6, Newlin has cited column 6, lines 13-65 as allegedly teaching receiving multimode mute data and storing a record of which modalities for a multimodal communication are

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to be muted for a given session. As such, the claim requires that there are different modalities that can be controlled, and hence, muted that are associated with a plurality of user agent programs. The cited portion appears to describe the conditions where an incoming call may come in and distinctive alerting may be used. A microprocessor may record a ringing pattern associated with each type of call and a tone detection algorithm may be run to search for the presence of a characteristic carrier for a modem signal. This is all used apparently to detect a second incoming call. Applicants are unable to find a description of storing a record of which modalities for a multimodal communication are to be muted for a given session. Accordingly, this claim is also in condition for allowance.

As to claim 5, it does not appear that the office action addresses where the references teach the temporary storage during a session of modality specific instructions for the plurality of different user agent programs to compensate for communication delay associated with the modality specific instructions for a second of a plurality of user agent programs. For example, since the user agent programs facilitate concurrent and different modality communication, the input to the user agent programs or the output coming from the user agent programs should be tracked as concurrent. There is no teaching or suggestion in the cited reference of such a system that links concurrent modality information from a plurality of user agent programs and compensating for delay associated with one of the plurality of user agent programs. Accordingly, this claim is also believed to be in condition for allowance.

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Accordingly, Applicants respectfully submit that the claims are in condition for allowance and that a timely Notice of Allowance be issued in this case. The Examiner is invited to contact the below-listed attorney if the Examiner believes that a telephone conference will advance the prosecution of this application.

Respectfully submitted,

Dated: _~Jean 15, 2004_   By: _[signature]_

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